

MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

October 30, 2009

VIA FIRST-CLASS MAIL

Zita Lovett, Courtroom Clerk
Chambers of the Honorable Joseph L. Tauro
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

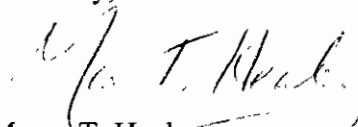
***Re: Commonwealth v. U.S. Dept. of Health and Human Services, et al.
Civil Action No. 1:09-CV-11156***

Dear Ms. Lovett,

I write in reference to the Motion for Leave to Clarify Motion of September 17, 2009 (Dkt. No. 15) filed by proposed-intervenor Mark A. Thomas in the above-referenced case. Though titled as a motion, Mr. Thomas's submission ostensibly amounts to a reply to the opposition memoranda filed by the Commonwealth as well as the Defendants. Accordingly, the Commonwealth does not intend to submit any further briefing on the issue of Mr. Thomas's request to intervene and/or file an amicus brief.

Should the Court require anything else on this matter, the Commonwealth will gladly fulfill any such request. Thank you for your attention to this matter.

Sincerely,


Maura T. Healey
Chief, Civil Rights Division

Cc: Steven Y. Bressler, Esq. (by email and first-class mail)
Mark A. Thomas (by first-class mail)